

Calendar No. 747

106TH CONGRESS
2^D SESSION

S. 2878

[Report No. 106-370]

To commemorate the centennial of the establishment of the first national wildlife refuge in the United States on March 14, 1903, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 17, 2000

Mr. SMITH of New Hampshire (for himself, Mr. BAUCUS, Mr. CRAPO, Mr. WARNER, Mr. GRAHAM, Mr. L. CHAFEE, Mr. LIEBERMAN, Mr. REID, Mr. LAUTENBERG, Mrs. BOXER, Mr. GREGG, and Mr. LEAHY) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

AUGUST 25, 2000

Reported under authority of the order of the Senate of July 26, 2000, by Mr. SMITH of New Hampshire, without amendment

A BILL

To commemorate the centennial of the establishment of the first national wildlife refuge in the United States on March 14, 1903, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “National Wildlife Ref-
3 uge System Centennial Commemoration Act of 2000”.

4 **SEC. 2. FINDINGS.**

5 Congress finds that—

6 (1) President Theodore Roosevelt began an
7 American wildlife conservation legacy by establishing
8 the first national wildlife refuge at Indian River La-
9 goon on Pelican Island, Florida, on March 14, 1903;

10 (2) the National Wildlife Refuge System is com-
11 prised of more than 93,000,000 acres of Federal
12 land managed by the United States Fish and Wild-
13 life Service in more than 520 individual refuges and
14 thousands of Waterfowl Production Areas located in
15 all 50 States and the territories of the United
16 States;

17 (3) the System is the only network of Federal
18 land that—

19 (A) is dedicated singularly to wildlife con-
20 servation; and

21 (B) has wildlife-dependent recreation and
22 environmental education as priority public uses;

23 (4) the System serves a vital role in the con-
24 servation of millions of migratory birds, hundreds of
25 endangered and threatened species, some of the pre-
26 mier fisheries of the United States, marine mam-

1 mals, and the habitats on which those species de-
2 pend;

3 (5)(A) each year the System provides millions
4 of Americans with opportunities to participate in
5 wildlife-dependent recreation, including hunting,
6 fishing, and wildlife observation; and

7 (B) through those activities, Americans develop
8 an appreciation for the natural wonders and wildlife
9 heritage of the United States;

10 (6) the occasion of the centennial of the begin-
11 ning of the System, in 2003, presents a historic op-
12 portunity to enhance natural resource stewardship
13 and expand compatible public enjoyment of the na-
14 tional wildlife refuges of the United States; and

15 (7) the United States Fish and Wildlife
16 Service—

17 (A) recognizes that the System has a back-
18 log of unmet critical operations and mainte-
19 nance needs;

20 (B) has worked to prioritize those needs;
21 and

22 (C) has made efforts to control the extent
23 of the backlog.

24 **SEC. 3. DEFINITIONS.**

25 In this Act:

1 (1) COMMISSION.—The term “Commission”
 2 means the National Wildlife Refuge System Centen-
 3 nial Commission established by section 4.

4 (2) SYSTEM.—The term “System” means the
 5 National Wildlife Refuge System established by the
 6 National Wildlife Refuge System Administration Act
 7 of 1966 (16 U.S.C. 668dd et seq.).

8 **SEC. 4. ESTABLISHMENT OF COMMISSION.**

9 (a) ESTABLISHMENT.—There is established a com-
 10 mission to be known as the “National Wildlife Refuge Sys-
 11 tem Centennial Commission”.

12 (b) MEMBERSHIP.—The Commission shall be com-
 13 posed of the following members:

14 (1) The Secretary of the Interior.

15 (2) The Director of the United States Fish and
 16 Wildlife Service.

17 (3) The Executive Director of the National Fish
 18 and Wildlife Foundation established by the National
 19 Fish and Wildlife Foundation Establishment Act (16
 20 U.S.C. 3701 et seq.).

21 (4) Up to 10 individuals, recommended by the
 22 Secretary of the Interior and appointed by the Presi-
 23 dent, who—

24 (A) are not officers or employees of the
 25 Federal Government; and

1 (B) shall be broadly representative of the
2 diverse beneficiaries of the System and have
3 outstanding knowledge or appreciation of wild-
4 life, fisheries, natural resource management, or
5 wildlife-dependent recreation.

6 (5) The Chairman and Ranking Member of the
7 Committee on Environment and Public Works of the
8 Senate and the Chairman and Ranking Member of
9 the Committee on Resources of the House of Rep-
10 resentatives, who shall be nonvoting members.

11 (c) TERM; VACANCIES.—

12 (1) TERM.—A member shall be appointed for
13 the life of the Commission.

14 (2) VACANCIES.—A vacancy on the
15 Commission—

16 (A) shall not affect the powers of the Com-
17 mission; and

18 (B) shall be filled in the same manner as
19 the original appointment was made.

20 (d) INITIAL MEETING.—Not later than 30 days after
21 the date on which all members of the Commission have
22 been appointed, the Commission shall hold the initial
23 meeting of the Commission.

24 (e) MEETINGS.—The Commission shall meet at the
25 call of the Chairperson.

1 (f) CHAIRPERSON.—The Secretary of the Interior
2 shall serve as Chairperson of the Commission.

3 **SEC. 5. DUTIES.**

4 (a) IN GENERAL.—The Commission shall—

5 (1) develop and carry out, in cooperation with
6 Federal, State, local, and nongovernmental entities
7 (including public and private associations and edu-
8 cational institutions), a plan to commemorate, on
9 March 14, 2003, the centennial of the beginning of
10 the System;

11 (2) provide, in cooperation with the entities,
12 host services for conferences on the System and as-
13 sist in the activities of the conferences;

14 (3) make recommendations to the Secretary of
15 the Interior concerning the long-term plan for the
16 System required under section 9; and

17 (4) make recommendations to the Secretary of
18 the Interior concerning measures that can be taken
19 to enhance natural resources stewardship and ex-
20 pand compatible public enjoyment of the System.

21 (b) REPORTS TO CONGRESS.—

22 (1) ANNUAL REPORTS.—Not later than Decem-
23 ber 31 of the first calendar year that begins after
24 the date on which the Commission holds its initial
25 meeting, and December 31 of each calendar year

1 thereafter through 2003, the Commission shall sub-
2 mit to the Committee on Environment and Public
3 Works of the Senate and the Committee on Re-
4 sources of the House of Representatives a report on
5 the activities and plans of the Commission.

6 (2) FINAL REPORT.—Not later than December
7 31, 2004, the Commission shall submit to the Com-
8 mittee on Environment and Public Works of the
9 Senate and the Committee on Resources of the
10 House of Representatives a final report on the ac-
11 tivities of the Commission, including an accounting
12 of all funds received and expended by the Commis-
13 sion.

14 **SEC. 6. POWERS.**

15 (a) MEETINGS.—The Commission may hold such
16 meetings, sit and act at such times and places, take such
17 testimony, and receive such evidence as the Commission
18 considers advisable to carry out this Act.

19 (b) INFORMATION FROM FEDERAL AGENCIES.—

20 (1) IN GENERAL.—The Commission may secure
21 directly from a Federal agency such information as
22 the Commission considers necessary to carry out this
23 Act.

24 (2) PROVISION OF INFORMATION.—On request
25 of the Chairperson of the Commission, the head of

1 the agency shall provide the information to the Com-
 2 mission.

3 (c) FINANCIAL AND ADMINISTRATIVE SERVICES.—

4 Subject to subsection (e)(2), the Secretary of the Interior,
 5 acting through the Director of the United States Fish and
 6 Wildlife Service, shall provide to the Commission financial
 7 and administrative services (including services relating to
 8 budgeting, accounting, financial reporting, personnel, and
 9 procurement).

10 (d) POSTAL SERVICES.—The Commission may use
 11 the United States mails in the same manner and under
 12 the same conditions as other agencies of the Federal Gov-
 13 ernment.

14 (e) GIFTS.—

15 (1) ACCEPTANCE.—The Commission may ac-
 16 cept, use, and dispose of gifts or donations of serv-
 17 ices or property to carry out this Act.

18 (2) ADMINISTRATION OF FUNDS.—The Na-
 19 tional Fish and Wildlife Foundation shall admin-
 20 ister, on behalf of the Commission, any gifts of
 21 funds received under paragraph (1) in accordance
 22 with the rules and procedures of the Foundation.

23 (f) APPLICABLE LAW.—Federal laws (including regu-
 24 lations) governing procurement by Federal agencies shall
 25 not apply to the Commission, except for laws (including

1 regulations) concerning working conditions, wage rates,
2 and civil rights.

3 **SEC. 7. COMMISSION PERSONNEL MATTERS.**

4 (a) COMPENSATION OF MEMBERS.—A member of the
5 Commission shall serve without compensation for the serv-
6 ices of the member to the Commission.

7 (b) STAFF.—

8 (1) EXECUTIVE DIRECTOR.—The Chief of the
9 National Wildlife Refuge System of the United
10 States Fish and Wildlife Service shall serve as the
11 Executive Director of the Commission.

12 (2) OTHER PERSONNEL.—The Chairperson of
13 the Commission may, without regard to the civil
14 service laws (including regulations), appoint and ter-
15 minate such personnel as are necessary to enable the
16 Commission to perform the duties of the Commis-
17 sion.

18 (3) COMPENSATION.—

19 (A) IN GENERAL.—Except as provided in
20 subparagraph (B), the Chairperson of the Com-
21 mission may fix the compensation of the per-
22 sonnel appointed under paragraph (2) without
23 regard to the provisions of chapter 51 and sub-
24 chapter III of chapter 53 of title 5, United

1 States Code, relating to classification of posi-
 2 tions and General Schedule pay rates.

3 (B) MAXIMUM RATE OF PAY.—The rate of
 4 pay for the personnel appointed under para-
 5 graph (2) shall not exceed the rate payable for
 6 level V of the Executive Schedule under section
 7 5316 of title 5, United States Code.

8 (c) TRAVEL EXPENSES.—Each member, the Execu-
 9 tive Director, and other personnel of the Commission shall
 10 be allowed travel expenses, including per diem in lieu of
 11 subsistence, at rates authorized for an employee of an
 12 agency under subchapter I of chapter 57 of title 5, United
 13 States Code, while away from the home or regular place
 14 of business of the individual in the performance of the du-
 15 ties of the Commission.

16 **SEC. 8. TERMINATION OF COMMISSION.**

17 (a) DATE.—The Commission shall terminate 90 days
 18 after the date on which the Commission submits the report
 19 of the Commission under section 5(b)(2).

20 (b) DISPOSITION OF COMMISSION PROPERTY.—

21 (1) MEMORABILIA.—On termination of the
 22 Commission and after consultation with the Archi-
 23 vist of the United States and the Secretary of the
 24 Smithsonian Institution, the Executive Director
 25 may—

1 (A) deposit all books, manuscripts, mis-
2 cellaneous printed matter, memorabilia, relics,
3 and other similar materials of the Commission
4 relating to the centennial of the beginning of
5 the System in a Federal, State, or local library
6 or museum; or

7 (B) make other disposition of such mate-
8 rials.

9 (2) OTHER PROPERTY.—The Executive Direc-
10 tor may—

11 (A) use property that is acquired by the
12 Commission and remains on termination of the
13 Commission (other than property described in
14 paragraph (1)) for the purposes of the System;
15 or

16 (B) dispose of such property as excess or
17 surplus property.

18 **SEC. 9. LONG-TERM PLAN FOR SYSTEM.**

19 After taking into consideration the recommendations
20 of the Commission under section 5(a)(3), the Secretary
21 of the Interior shall develop a long-term plan for the Sys-
22 tem to address—

23 (1) the priority staffing and operational needs
24 as determined through—

25 (A) the refuge operating needs system; and

1 (B) comprehensive conservation plans for
 2 refuges required under section 4(e) of the Na-
 3 tional Wildlife Refuge System Administration
 4 Act of 1966 (16 U.S.C. 668dd(e));

5 (2) the priority maintenance and construction
 6 needs as identified in the maintenance management
 7 system, the 5-year deferred maintenance list, and
 8 the 5-year construction list, developed by the Sec-
 9 retary of the Interior; and

10 (3) any transition costs as identified by the Sec-
 11 retary of the Interior in conducting analyses of
 12 newly acquired refuge lands.

13 **SEC. 10. DESIGNATION OF YEAR OF THE WILDLIFE REF-**
 14 **UGE.**

15 (a) IN GENERAL.—Congress designates 2003 as the
 16 “Year of the Wildlife Refuge”.

17 (b) PROCLAMATION.—Congress requests the Presi-
 18 dent to issue a proclamation calling on the people of the
 19 United States to celebrate the Year of the Wildlife Refuge
 20 with appropriate ceremonies and programs.

21 **SEC. 11. AUTHORIZATION OF APPROPRIATIONS.**

22 There are authorized to be appropriated to carry out
 23 the activities of the Commission under this Act—

24 (1) \$100,000 for fiscal year 2001; and

- 1 (2) \$250,000 for each of fiscal years 2002
- 2 through 2004.

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